

**REMARKS**

Review and reconsideration of the Office Action of March 25, 2005 are respectfully requested in view of the above amendments and the following remarks.

The claims have been amended to be limited only to subject matter previously indicated to be allowable. An authorization for payment of the Excess Claims Fee is provided herewith. Accordingly, it is respectfully submitted that the application is in condition for allowance.

**Claims Under Examination**

Applicants note that the application was filed with Claims 1 - 9. Claims 3, 4, 5, and 7 were improper multiple dependent claims. Accordingly, Applicants filed a Preliminary Amendment canceling Claims 1-9 and adding new Claims 10-23.

The Examiner appears not to have noticed the Preliminary Amendment. According to the Examiner, Claims 1, 2, and 9 are rejected, and Claims 3-8 are merely objected to but contain allowable subject matter.

Since the new claims differ from the original claims only in that they have been amended for formalities reasons, rather than request a new Office Action, Applicants simply provide a cross reference table to show how the present rejection/indication of allowability would apply to the new claims:

<u>Old Claim</u>		<u>New Claim</u>
1 and 2		10, 11 and 12
3	allowable	13
4, 5	allowable	16, 17
7	allowable	18
8	allowable	19
		20 pressure sensitive switch
9		21 + 22
9+7+8		23

Applicants further note that the Examiner indicated device Claim 3 to be allowable, yet rejected similar process Claim 9, apparently for the reason that Claim 9 does not recite a pressure responsive controller as recited in Claim 3. In response, Applicants amend Claim 9 (21) to recite a pressure responsive controller, making Claim 9 (21) allowable for the same reason that Claim 3 is allowable.

#### Office Action

Turning now to the Office Action in greater detail, the paragraphing of the Examiner is adopted.

#### Claim Rejections - 35 USC § 102

Claims 1, 2, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by DE29609267U1.

According to the Examiner, DE29609267U1 discloses limitations of Claims 1, 2, and 9 (10, 11, 12 and 21, 22, 23).

Applicants note that this reference teaches a headlight for a vehicle used in underground mining. The headlight is contained in a pressure tight, explosion-safe housing.

From a brief review of this reference, Applicants do not see that the headlight is controlled based on pressure within the housing.

The halogen headlamp has a pressure-tight cylindrical encapsulation housing (1). It has a light output opening fitted with a transparent cover (5), at one side and having a closed termination compartment (7) at the other side. The interior (17) of the headlamp housing contains a transformer, a lamp holder fitted with a halogen light (36) and a reflector. A microprocessor (19) within the lamp housing provides specific output signals in response to supplied control signals, for determining the electrical power supplied to the halogen light, to allow controlled dimming etc. The control signals are for electronic regulation of light output of halogen headlamp for different operating conditions in underground mining plant; there is however no suggestion of varying the control signals are in response to pressure within the headlight.

Nevertheless, to expedite examination, Applicants incorporate subject matter from allowable Claim 13 into Claim 10 (and similarly Claim 21) to make the claims allowable, dispensing with the need for technical argument.

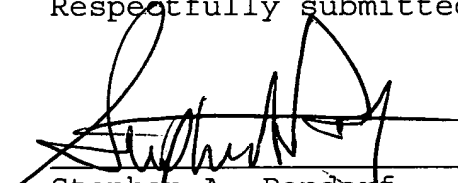
Applicants appreciate the Examiner's determination that the subject matter found in dependent Claims 3-8 (13-20) was found to be allowable. Therefore, Applicants:

- incorporate Claim 13 into Claim 10 and cancel Claim 13, making Claims 10, 11 and 12 allowable;
- incorporate Claim 10 into Claim 14, making Claim 14 allowable;
- incorporate Claim 10 into Claim 15, making Claims 15, 16 and 17 allowable;

- incorporate Claim 10 into Claim 18, making Claims 18, and 19 allowable;
- incorporate Claim 10 into Claim 20, making Claim 20 allowable;
- add the controller to Claim 21 and write Claim 21 as a method for prevention of operation of a defective headlight (as disclosed in paragraph 7 of the specification) and argue that Claims 21-23 are thus allowable.

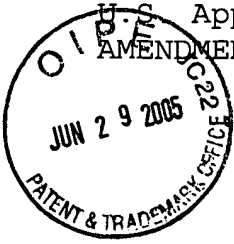
There being no further rejections, early issuance of the Notice of Allowance is respectfully requested. Should the Examiner have any further suggestions, he is respectfully requested to contact the undersigned at the indicated telephone number.

Respectfully submitted,

  
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Dated: **June 27, 2005**



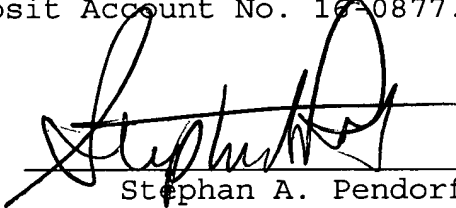
U.S. Application No. 10/722,001  
AMENDMENT A

Attorney Docket No.: 3926.060

**CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE**

I hereby certify that the foregoing AMENDMENT A for U.S. Application No. 10/722,001 filed November 25, 2003, was deposited in first class U.S. mail, with sufficient postage, addressed: Mail Stop Amendment, Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on **June 27, 2005**.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

  
Stephan A. Pendorf